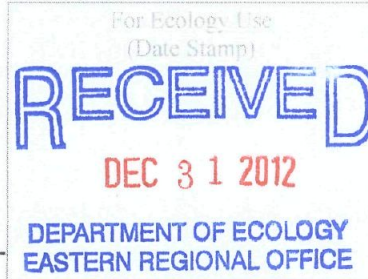




Application for Change/Transfer of Water Right



For filing with the Department of Ecology *or* with County Conservancy Boards

A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION IF FILED WITH THE DEPARTMENT OF ECOLOGY

(Check all that apply.)

- ☐ Change purpose(s) of use
- ☐ Add purpose(s) of use
- ☐ Change point(s) of diversion/withdrawal
- ☒ Add point(s) of diversion/withdrawal
- ☐ Change/transfer place of use
- ☐ Other (i.e. consolidation, intertie, trust water)

Explain: Construction defects discovered with existing wells.
Applicant intends to install replacement wells before existing wells fail.

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

FOR OFFICIAL USE ONLY	
DATE APPLICATION RECEIVED _____	
CHECK NO. _____	FEE \$ _____
DATE ACCEPTED _____	BY _____
CHANGE NO. _____	
COUNTY _____	WRIA _____
SPECIAL AREA _____	
SEPA: <input type="checkbox"/> EXEMPT <input type="checkbox"/> NOT EXEMPT	
ECY CODING: 001-002-WR10285-000011	
APP NO. _____	PERMIT NO. _____
CERT NO. _____	CERT OF CHG NO. _____

☐ I have participated in a pre-application conference with Ecology.

GRAN-12-06

1. Applicant Information

APPLICANT/BUSINESS NAME	Phone No.	FAX NO.
J. R. Simplot Company	208-336-2110	
ADDRESS		
J. R. Simplot Company, One Capital Center, 999 Main St., Suite 1300, PO Box 27		
CITY	STATE	ZIP CODE
Boise	Idaho	83707
EMAIL ADDRESS (IF AVAILABLE)		

CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Lance Carter	509-793-1188	
ADDRESS		
14124 Wheeler Rd. NE		
CITY	STATE	ZIP CODE
Moses Lake	WA	98837
EMAIL ADDRESS (IF AVAILABLE)		
Lance.carter@simplot.com		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
Same as Applicant		
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
Certificate No. 5791-A	Pronto Foods, Inc.
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>See water usage attached hereto as Exhibit B</i>	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
See Attachment A1								

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
See Attachment A1								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☒ YES ☐ NO PROPOSED: ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME: _____

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Industrial	1,200 gpm	1,100	continuous
Irrigation			
Wastewater Disposal			

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Same, no proposed change	1,200 gpm	1,100	continuous

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

See Attachment A1

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME:

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

Same, no change. See Attachment A1

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

☒ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): Cert. 2651-A; Cert. 3021-A; and Cert. G3-01400C

6. Remarks and Other Relevant Information:

Existing wells must be replaced due to construction defects discovered which threaten plant water supply.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

J. R. Simplot Company

By: Terry T. Uhling, Senior V.P.,

Secretary and General Counsel

Applicant Printed Name - Title

Applicant Signature

12/17/2012
(Date)

J. R. Simplot Company

By: Terry T. Uhling, Senior V.P.,

Secretary and General Counsel

Water Right Holder Printed Name

Water Right Holder Signature

12/17/2012
(Date)

J. R. Simplot Company

By: Terry T. Uhling, Senior V.P.,

Secretary and General Counsel

Land Owner of Existing Place of Use Printed Name

Land Owner of Existing Place of Use Signature

12/17/2012
(Date)

J. R. Simplot Company

By: Terry T. Uhling, Senior V.P.,

Secretary and General Counsel

Land Owner of Proposed Place of Use Printed Name

Land Owner of Proposed Place of Use Signature

12/17/2012
(Date)

Please check the region in which the project is located:

*Submit your application to: DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611	<input type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input checked="" type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 - 160 th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____

ATTACHMENT A1 FOR
Application for Change/Transfer of Water Right

Point(s) of Diversion/Withdrawal - ☒ Existing ☐ Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
S01	1	SW	SW	16	19N	29E	190468000	AEH-393
S02	2	SW	SW	16	19N	29E	190468000	AEH-394
S03	3	SW	NW	22	19N	29E	180217000	
SO4	4	SE	SE	22	19N	29E	180218000	

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☒ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME: _____

Purpose(s) of Use - ☒ Existing ☐ Proposed:

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Industrial, wastewater disposal and irrigation of 308 acres (Cert. No. 5791-A)	1,200 gpm	1,100	continuous

Place of Use - ☒ Existing ☐ Proposed:

LEGAL DESCRIPTION OF LANDS							
Certificate No. 5791-A							
INDUSTRIAL USE: The south 640 feet of Farm Unit 81, Second Revision of Irrigation Block 41, Columbia Basin Project, in Sec. 16, T. 19 N., R. 29 E.W.M.; LESS the east 500 feet of said Farm Unit 81.							
IRRIGATION: That part of Sec. 22, T. 19 N., R. 29 E.W.M., lying southerly and westerly of the centerline of the East Low Canal; LESS the west 430 feet of the north 450 feet of the NW1/4 SW1/4 NW1/4 of said Section; AND LESS the west 221.5 feet of the south 20 feet of the north 470 feet of said NW1/4 SW1/4 NW1/4; AND LESS: Beginning at the intersection of the section north line and the said centerline of the East Low Canal; thence south 22°04'02" east along the centerline 71.53 feet; thence along said centerline on a curve to the left with a radius of 477.46 feet, an arc distance of 568.56 feet; thence north 89°42'18" east along said centerline 776.65 feet; thence along said centerline on a curve to the right with a radius 477.46 feet, an arc distance of 48.65 feet to the true point of beginning; continuing thence along said curve to the right for an arc distance of 122.50 feet; thence south 04°05'57" west 644.31 feet; thence north 87°07'56" west 329.89 feet; thence north 02°52'04" east 90.41 feet; thence on a curve to the right with a radius of 190.99 feet, an arc distance of 158.49 feet; thence north 50°24'49" east 103.84 feet; thence on a curve to the left with a radius of 229.18 feet, an arc distance of 179.42 feet; thence north 05°33'33" east 217.87 feet to the true point of beginning; ALL LESS rights of way.							
INDUSTRIAL WASTEWATER DISPOSAL: The applicant land applies effluent from the industrial place of use in accordance with the State of Washington Department of Ecology State Waste Discharge Permit (SWDP No. ST-5202) [copy attached]							
Industrial Use:							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
S½	SW	16	19N	29E	Grant County	190468000	36.6
DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							
IF NO, PROVIDE OWNER(S) NAME: _____							
Irrigation Use:							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		22	19N	29E	Grant County	180214000, 180217000, 180213000, 180218000, 180222003	Sum of these parcels is approximately 455 acres
DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO; Above information is as shown on Grant County MapSifter.							
IF NO, PROVIDE OWNER(S) NAME: _____							

ATTACHMENT A1 (Cont'd) FOR
Application for Change/Transfer of Water Right

Point(s) of Diversion/Withdrawal - ☐ Existing ☒ Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
S01 (existing location)	1	SW	SW	16	19N	29E	190468000	AEH-393
S02 (existing location)	2	SW	SW	16	19N	29E	190468000	AEH-394
S02 (New PoW)	2	SW	SW	16	19N	29E	190468000	
S01 Alternate PoW A	5	SW	SW	16	19N	29E	190468000	
S01 Alternate PoW B	6	SE	SW	16	19N	29E	190468000	
S03 (existing location)	3	SW	NW	22	19N	29E	180217000	
S04 (existing location)	4	SE	SE	22	19N	29E	180218000	

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☒ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME: _____

Purpose(s) of Use - ☐ Existing ☒ Proposed:

The proposed purpose of use is not changing from current purpose of use			
PURPOSE OF USE (no change)	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
No proposed change: Industrial, wastewater disposal and irrigation of 308 acres (Cert. No. 5791-A)	1,200 gpm	1,100	continuous

Place of Use - ☐ Existing ☒ Proposed:

LEGAL DESCRIPTION OF LANDS							
Certificate No. 5791-A							
INDUSTRIAL USE: No Change; same as Existing							
IRRIGATION: No Change; same as Existing.							
INDUSTRIAL WASTEWATER DISPOSAL: The applicant land applies effluent from the industrial place of use in accordance with the State of Washington Department of Ecology State Waste Discharge Permit (SWDP No. ST-5202) [copy attached].							
Industrial Uses:							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
S1/2	SW	16	19N	29E	Grant County	190468000	36.6
DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The applicant owns all of the industrial place of use.							
IF NO, PROVIDE OWNER(S) NAME: _____							
Irrigation Use:							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		22	19N	29E	Grant County	180214000, 180217000, 180213000, 180218000, 180222003	Sum of these Parcels is approximately 455 acres
DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							
IF NO, PROVIDE OWNER(S) NAME: _____							
The Industrial and Irrigation Places of Use are owned by the applicant. Contracts with other landowners for the land application of effluent in accordance with SWDP No. ST-5202 results in changes to the Industrial Wastewater Disposal Place of Use from time to time.							

ATTACHMENT FOR
Application for Change/Transfer of Water Right

Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

J. R. Simplot Company

By: Terry T. Uhling, Senior V.P.,

Secretary and General Counsel

- ☒ Applicant Printed Name – Title
☐ Water Right Holder Printed Name
☐ Land Owner of Existing Place of Use Printed Name
☐ Land Owner of Proposed Place of Use Printed Name



Applicant Signature
Water Right Holder Signature
Land Owner of Existing Place of Use Signature
Land Owner of Proposed Place of Use Signature

12 / 17 / 2012
(Date)

J. R. Simplot Company

By: Terry T. Uhling, Senior V.P.,

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Water Right Holder Signature
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Land Owner of Proposed Place of Use Signature

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 / /
(Date)